

Many witnesses involved in discussing and drafting the letter told investigators that it was how the Hudson decision was made that occupied the focus of their attentions, not concern over Babbitt's statements regarding his July 14, 1995, conversation with Paul Eckstein. Some DOI witnesses said they believed that Sen. Thompson would not call Secretary Babbitt as a witness in a public hearing, and viewed the letter as the only opportunity to put on the public record DOI's version of how and why the Hudson application was denied. Others, including Secretary Babbitt, said they assumed that he would be called to testify.

Asked who made the decision to write a letter to Thompson that went beyond the Secretary's refusal to be interviewed in private, Babbitt testified that he wanted to get in the public record his version of his conversation with Eckstein:

Well, by this time, I'm awakening to the fact that this is a big deal and that the Eckstein – it's obvious that he had had his deposition taken, and it didn't take any dummy to see what was coming. So I thought I ought to get on the record my version of the Eckstein conversation.⁶²⁶

Babbitt said he also told his staff at the time that he thought it was time to lay out his version of the Eckstein conversation.

Legislative Counsel Jane Lyder volunteered to draft the letter on Thursday, Oct. 9, for quick turnaround. While writing a first draft that day, Lyder reviewed Babbitt's Aug. 30, 1996, letter to Sen. McCain. Lyder quoted certain language directly from the McCain letter for use in the Thompson letter.

Early on Oct. 10, Babbitt met with Shields, Leshy, Beller and Gauldin to discuss the Secretary's response to Sen. Thompson. At the meeting, Babbitt presented for inclusion in the

⁶²⁶Babbitt G.J. Test., July 7, 1999, at 227-28.